

REMARKS/ARGUMENTS

Claims 1-12, 14-21, and 23-26 are pending in the application, as claims 13 and 22 have been cancelled without prejudice. In the Office Action, claim 15 was objected to for informalities and has been amended per the Examiner's suggestion. Claims 1-9, 11-12, 14-21, and 24-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over various combinations of U.S. Patent Application Publication No. 2002/0107025 to Oliveira et al. (Oliveira), U.S. Patent Application Publication No. 2004/0266474 to Petrus et al. (Petrus), and other references. Claims 10, 13, 22, and 23 were objected to as being dependent upon a rejected base claim.

The limitations of dependent claims 13 and 22 have been incorporated into independent claims 1 and 14, respectively. Independent claim 24 has been amended to recite the limitation that the monitoring for the load measurement includes decoding and matching a predetermined synchronization code indicative of the load condition, which is similar to the limitations from claims 13 and 22. Support for the amendment of claim 24 can be found on page 12, paragraph 0030 of the application.

In view of the above, Applicant submit that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein

S/N 10/821,434

that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 502117.

Respectfully submitted,

Date: April 15, 2008

SEND CORRESPONDENCE TO:

Motorola, Inc.
1303 East Algonquin Road
IL01/3RD
Schaumburg, IL 60196

Customer Number: 24273

By: /Larry G. Brown/
Larry G. Brown

Attorney of Record
Reg. No.: 45,834

Tel: (954) 723-4295 direct line
Tel: (954) 723-6449 main line
Fax No.: (847) 576-3750

E-mail: docketing.schaumburg@motorola.com